

103D CONGRESS  
1ST SESSION

# S. 1361

To establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 5, (legislative day, JUNE 30), 1993

Mr. SIMON (for himself, Mr. KENNEDY, Mr. DURENBERGER, Mr. WOFFORD, Mr. PELL, Mr. METZENBAUM, Mr. DODD, Mr. HATFIELD, Ms. MOSELEY-BRAUN, Mr. BREAUX, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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## A BILL

To establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “School-to-Work Opportunities Act of 1993”.

6       (b) TABLE OF CONTENTS.—The table of contents is  
7       as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purposes and Congressional intent.

- Sec. 4. Definitions.
- Sec. 5. Federal administration.

#### TITLE I—SCHOOL-TO-WORK OPPORTUNITIES BASIC PROGRAM COMPONENTS

- Sec. 101. General program requirements.
- Sec. 102. Work-based learning component.
- Sec. 103. School-based learning component.
- Sec. 104. Connecting activities component.

#### TITLE II—SCHOOL-TO-WORK OPPORTUNITIES SYSTEM DEVELOPMENT AND IMPLEMENTATION GRANTS TO STATES

##### Subtitle A—State Development Grants

- Sec. 201. Purpose.
- Sec. 202. State development grants.

##### Subtitle B—State Implementation Grants

- Sec. 211. Purpose.
- Sec. 212. State implementation grants.

#### TITLE III—FEDERAL IMPLEMENTATION GRANTS TO PARTNERSHIPS

- Sec. 301. Purpose.
- Sec. 302. Federal implementation grants to partnerships.
- Sec. 303. School-to-Work Opportunities program grants in high poverty areas.

#### TITLE IV—NATIONAL PROGRAMS

- Sec. 401. Research, demonstration, and other projects.
- Sec. 402. Performance outcomes and evaluation.
- Sec. 403. Training and technical assistance.

#### TITLE V—GENERAL PROVISIONS

- Sec. 501. State request and responsibilities for a waiver of statutory and regulatory requirements.
- Sec. 502. Waivers of statutory and regulatory requirements by the Secretary of Education.
- Sec. 503. Waivers of statutory and regulatory requirements by the Secretary of Labor.
- Sec. 504. Safeguards.
- Sec. 505. Authorization of appropriations.
- Sec. 506. Acceptance of gifts, and other matters.
- Sec. 507. Effective date.

### 1 **SEC. 2. FINDINGS.**

2 Congress finds that—

- 3 (1) three-fourths of America's high school stu-
- 4 dents enter the workforce without baccalaureate de-

1 grees, and many do not possess the academic and  
2 entry-level occupational skills necessary to succeed in  
3 the changing workplace;

4 (2) unemployment among American youth is in-  
5 tolerably high, and earnings of high school graduates  
6 have been falling relative to those with more  
7 education;

8 (3) the American workplace is changing in re-  
9 sponse to heightened international competition and  
10 new technologies, and these forces, which are ulti-  
11 mately beneficial to the Nation, are shrinking the  
12 demand for and undermining the earning power of  
13 unskilled labor;

14 (4) the United States is the only industrialized  
15 nation that lacks a comprehensive and coherent sys-  
16 tem to help its youth acquire knowledge, skills, abili-  
17 ties, and information about and access to the labor  
18 market necessary to make an effective transition  
19 from school to career-oriented work or to further  
20 education and training;

21 (5) American students can achieve to high  
22 standards, and many learn better and retain more  
23 when they learn in context, rather than in the ab-  
24 stract;

1           (6) work-based learning, which is modeled after  
2           the time-honored apprenticeship concept, integrates  
3           theoretical instruction with structured on-the-job  
4           training, and this approach, combined with school-  
5           based learning, can be very effective in engaging stu-  
6           dent interest, enhancing skill acquisition, and pre-  
7           paring youth for high-skill, high-wage careers; and

8           (7) Federal resources currently fund a series of  
9           categorical, work-related education and training pro-  
10          grams that are not administered as a coherent  
11          whole.

12 **SEC. 3. PURPOSES AND CONGRESSIONAL INTENT.**

13          (a) PURPOSES.—The purposes of this Act are to—

14               (1) establish a national framework within which  
15               all States can create statewide School-to-Work Op-  
16               portunities systems that are integrated with the sys-  
17               tems developed under the Goals 2000: Educate  
18               America Act and that offer young Americans access  
19               to a performance-based education and training pro-  
20               gram that will enable them to earn portable creden-  
21               tials, prepare them for a first job in a high-skill,  
22               high-wage career, and increase their opportunities  
23               for further education;

24               (2) transform workplace into active learning  
25               components by making employers full partners in

1 providing high-quality, work-based learning experi-  
2 ences to students;

3 (3) use Federal funds under this Act as venture  
4 capital, to underwrite the initial costs of planning  
5 and establishing statewide School-to-Work Opportu-  
6 nities systems that will be maintained with other  
7 Federal, State, and local resources;

8 (4) promote the formation, among secondary  
9 and postsecondary educational institutions, private  
10 and public employers, labor organizations, govern-  
11 ment, community groups, parents, and students, of  
12 local education and training systems that are dedi-  
13 cated to linking the worlds of school and work;

14 (5) help students attain high academic and oc-  
15 cupational standards;

16 (6) build on and advance a range of promising  
17 programs, such as tech-prep-education, career aca-  
18 demics, school-to-apprenticeship programs, coopera-  
19 tive education, youth apprenticeship, and business-  
20 education compacts, that can be developed into pro-  
21 grams funded under this Act;

22 (7) improve the knowledge and skills of youth  
23 by integrating academic and occupational learning  
24 integrating school-based and work-based learning,

1 and building effective linkages between secondary  
2 and postsecondary education;

3 (8) motivate youth, especially low-achieving  
4 youth and dropouts, to stay in or return to school  
5 and strive to succeed by providing enriched learning  
6 experiences and assistance in obtaining good jobs;  
7 and

8 (9) further the National Education Goals set  
9 forth in title I of the Goals 2000: Educate America  
10 Act.

11 (b) CONGRESSIONAL INTENT.—It is the intent of  
12 Congress that the Secretary of Labor and the Secretary  
13 of Education jointly administer this Act in a flexible man-  
14 ner that—

15 (1) promote State and local discretion in estab-  
16 lishing and implementing School-to-Work Opportuni-  
17 ties systems and programs; and

18 (2) contributes to reinventing government by  
19 building on State and local capacity, eliminating du-  
20 plication, supporting locally established initiatives,  
21 requiring measurable goals for performance, and  
22 offering flexibility in meeting these goals.

23 **SEC. 4. DEFINITIONS.**

24 As used in this Act—

1           (1) the term “elements of an industry” means,  
2           with respect to a particular industry that a student  
3           is preparing to enter, such elements as planning,  
4           management, finances, technical and production  
5           skills, underlying principles of technology, labor and  
6           community issues, health and safety, and environ-  
7           mental issues related to that industry;

8           (2) the term “all students” means students  
9           from the broad range of backgrounds and cir-  
10          cumstances, including disadvantaged students, stu-  
11          dents of diverse racial, ethnic, and cultural back-  
12          grounds, students with disabilities, students with  
13          limited English proficiency, and academically tal-  
14          ented students;

15          (3) the term “approved State plan” or “ap-  
16          proved plan” means a School-to-Work Opportunities  
17          plan that is submitted by a State, is determined by  
18          the Secretaries to include the basic program compo-  
19          nents and otherwise meet the requirements of this  
20          Act, and is consistent with the State’s plan under  
21          the Goals 2000: Educate America Act;

22          (4) the term “career major” means a coherent  
23          sequence of courses or fields of study that prepares  
24          a student for a first job and that—

1 (A) integrates occupational and academic  
2 learning, integrates work-based and school-  
3 based learning, and establishes linkages be-  
4 tween secondary and postsecondary education;

5 (B) prepares the student for employment  
6 in broad occupational clusters or industry  
7 sectors;

8 (C) typically includes at least two years of  
9 secondary school and one or two years of post-  
10 secondary education;

11 (D) results in the award of a high school  
12 diploma, a certificate or diploma recognizing  
13 successful completion of one or two years of  
14 postsecondary education (if appropriate), and a  
15 skill certificate; and

16 (E) may lead to further training, such as  
17 entry into a registered apprenticeship program;

18 (5) the term “employer” includes both public  
19 and private employers;

20 (6) the term “Governor” means the chief execu-  
21 tive of a State;

22 (7) the term “local educational agency” shall  
23 have the same meaning as provided in paragraph 12  
24 of section 1471 of the Elementary and Secondary  
25 Education Act of 1965, (20 U.S.C. 2891(12));



1           (8) the term “partnership” means a local entity  
2           that is responsible for local School-to-Work Opportu-  
3           nities programs and that consists of employers, pub-  
4           lic secondary or postsecondary educational institu-  
5           tions or agencies, and labor organizations or em-  
6           ployee representatives as defined in section  
7           403(c)(1)(B) of the Goals 2000: Educate America  
8           Act, and may include other entities, such as non-  
9           profit or community-based organizations, rehabilita-  
10          tion agencies and organizations, registered appren-  
11          ticeship agencies, local vocational education entities,  
12          local government agencies, parent organizations, pri-  
13          vate industry councils established under the Job  
14          Training Partnership Act, and federally recognized  
15          Indian tribes and Alaska Native villages;

16          (9) the term “postsecondary education institu-  
17          tion” means a public or private nonprofit institution  
18          that is authorized within a State to provide a pro-  
19          gram of education beyond secondary education, and  
20          includes a community college, a technical college, a  
21          postsecondary vocational institution, or a tribally  
22          controlled community college;

23          (10) the term “registered apprenticeship agen-  
24          cy” means either the Bureau of Apprenticeship and  
25          Training in the United States Department of Labor

1 or a State apprenticeship agency recognized and ap-  
2 proved by the Bureau of Apprenticeship and Train-  
3 ing as the appropriate body for State registration or  
4 approval of local apprenticeship programs and agree-  
5 ments for Federal purposes;

6 (11) the term “registered apprenticeship pro-  
7 gram” means a program registered by a registered  
8 apprenticeship agency;

9 (12) the term “Secretaries” means the Sec-  
10 retary of Education and the Secretary of Labor;

11 (13) the term “skill certificate” means a port-  
12 able, industry-recognized credential issued by a  
13 School-to-Work Opportunities program under an ap-  
14 proved plan, that certifies that a student has mas-  
15 tered skills at levels that are at least as challenging  
16 as skill standards endorsed by the National Skill  
17 Standards Board established under the Goals 2000:  
18 Educate America Act, except that until such skill  
19 standards are developed, the term “skill certificate”  
20 means a credential issued under a process described  
21 in a State’s approved plan;

22 (14) the term “State” means each of the sev-  
23 eral States, the District of Columbia, and the Com-  
24 monwealth of Puerto Rico; and

1           (15) the term “workplace mentor” means an  
2       employee at the workplace who possesses the skills  
3       to be mastered by a student, and who instructs the  
4       student, critiques the student’s performance, chal-  
5       lenges the student to perform well, and works in  
6       consultation with classroom teachers and the  
7       employer.

8       **SEC. 5. FEDERAL ADMINISTRATION.**

9       (a) Notwithstanding the Department of Education  
10      Organization Act (20 U.S.C. 3401 et seq.), the General  
11      Education Provisions Act (20 U.S.C. 1221 et seq.), the  
12      statutory provisions regarding the establishment of the  
13      Department of Labor (29 U.S.C. 551 et seq.), and section  
14      166 of the Job Training Partnership Act (29 U.S.C.  
15      1576), the Secretaries shall jointly provide for the admin-  
16      istration of the programs established by this Act, and may  
17      issue whatever procedures, guidelines, and regulations, in  
18      accordance with 5 United States Code 553, they deem nec-  
19      essary and appropriate to administer and enforce the pro-  
20      visions of this Act.

21      (b) Section 431 of the General Education Provisions  
22      Act (20 U.S.C. 1232), shall not apply to any programs  
23      under this Act.

1 **TITLE I—SCHOOL-TO-WORK OP-**  
2 **PORTUNITIES BASIC PRO-**  
3 **GRAM COMPONENTS**

4 **SEC. 101. GENERAL PROGRAM REQUIREMENTS.**

5 A School-to-Work Opportunities program under this  
6 Act shall—

7 (1) integrate work-based learning and school-  
8 based learning, as provided for in sections 102 and  
9 103;

10 (2) provide a student with the opportunity to  
11 complete a career major as defined in section 4 of  
12 this Act; and

13 (3) incorporate the basic program components  
14 provided in sections 102 through 104.

15 **SEC. 102. WORK-BASED LEARNING COMPONENT.**

16 The work-based learning component of a School-to-  
17 Work Opportunities program shall include—

18 (1) a planned program of job training and expe-  
19 riences, including skills to be mastered at progres-  
20 sively higher levels, that are relevant to a student's  
21 career major and lead to the award of a skill certifi-  
22 cate;

23 (2) paid work experience;

24 (3) workplace mentoring;

1           (4) instruction in general workplace com-  
2           petencies; and

3           (5) broad instruction in a variety of elements of  
4           an industry.

5 **SEC. 103. SCHOOL-BASED LEARNING COMPONENT.**

6           The school-based learning component of a School-to-  
7           Work Opportunities program shall include—

8           (1) career exploration and counseling in order  
9           to help students who may be interested to identify,  
10          and select or reconsider, their interests, goals, and  
11          career majors;

12          (2) initial selection by interested students of a  
13          career major not later than the beginning of the  
14          11th grade;

15          (3) a program of study designed to meet the  
16          same challenging academic standards established by  
17          States for all students under the Goals 2000: Edu-  
18          cate America Act, and to meet the requirements nec-  
19          essary for a student to earn a skill certificate; and

20          (4) regularly scheduled evaluations to identify  
21          academic strengths and weaknesses of students and  
22          the need for additional learning opportunities to  
23          master core academic skills.

1 **SEC. 104. CONNECTION ACTIVITIES COMPONENT.**

2 The connecting activities component of a School-to-  
3 Work Opportunities program shall include—

4 (1) matching students with employers' work-  
5 based learning opportunities;

6 (2) serving as a liaison among the employer,  
7 school, teacher, parent, and student;

8 (3) providing technical assistance and services  
9 to employers and others in designing work-based  
10 learning components and counseling and case man-  
11 agement services, and in training teachers, work-  
12 place mentors, and counselors;

13 (4) providing assistance to students who have  
14 completed the program in finding an appropriate  
15 job, continuing their education, or entering into an  
16 additional training program;

17 (5) collecting and analyzing information regard-  
18 ing post-program outcomes of students who partici-  
19 pate in the School-to-Work Opportunities program;  
20 and

21 (6) linking youth development activities under  
22 this Act with employer strategies for upgrading the  
23 skills of their workers.

1 **TITLE II—SCHOOL-TO-WORK OP-**  
2 **PORTUNITIES SYSTEM DE-**  
3 **VELOPMENT AND IMPLEMEN-**  
4 **TATION GRANTS TO STATES**  
5 **Subtitle A—State Development**  
6 **Grants**

7 **SEC. 210. PURPOSE.**

8       The purpose of this subtitle is to assist States in  
9 planning and developing comprehensive, statewide systems  
10 for school-to-work opportunities.

11 **SEC. 202. STATE DEVELOPMENT GRANTS.**

12       (a) IN GENERAL.—Upon the application of a State,  
13 the Secretaries may award a development grant to a State  
14 in such amount as the Secretaries determine is necessary  
15 to enable the State to complete development (that may  
16 have begun with funds awarded under the Job Training  
17 Partnership Act (29 U.S.C. 1501 et seq.), and the Carl  
18 D. Perkins Vocational and Applied Technology Education  
19 Act (20 U.S.C. 2301 et seq.)) of a comprehensive, state-  
20 wide School-to-Work Opportunities system, except that a  
21 development grant under this subtitle may not exceed  
22 \$1,000,000 in any fiscal year.

23       (b) APPLICATION CONTENTS.—The application for a  
24 development grant shall—

1           (1) include a timetable and an estimate of the  
2           amount of funding needed to complete the planning  
3           and development necessary to implement a com-  
4           prehensive, statewide School-to-Work Opportunities  
5           system;

6           (2) describe how the Governor; the chief State  
7           school officer; the State agency officials responsible  
8           for job training and employment, economic develop-  
9           ment, and postsecondary education; and other ap-  
10          propriate officials will collaborate in the planning  
11          and development of the State School-to-Work Oppor-  
12          tunities system;

13          (3) describe how the State will enlist the active  
14          and continued participation in the planning and de-  
15          velopment of the statewide School-to-Work Opportu-  
16          nities system of employers and other interested par-  
17          ties such as locally elected officials, secondary and  
18          postsecondary educational institutions or agencies,  
19          business associations, employees, labor organizations  
20          or associations thereof, teachers, students, parents,  
21          community-based organizations, rehabilitation agen-  
22          cies and organizations, registered apprenticeship  
23          agencies, and local vocational educational agencies;

24          (4) describe how the State will coordinate its  
25          planning activities with any local School-to-Work



1 Opportunities program that has received a grant  
2 under title III of this Act;

3 (5) designate a fiscal agent to receive and be  
4 accountable for funds awarded under this subtitle;  
5 and

6 (6) include such other information as the Sec-  
7 retaries may require.

8 (c) STATE DEVELOPMENT ACTIVITIES.—Funds  
9 awarded under this section shall be expended by a State  
10 only for activities undertaken to develop a statewide  
11 School-to-Work Opportunities system, which may in-  
12 clude—

13 (1) identifying or establishing an appropriate  
14 State structure to administer the School-to-Work  
15 Opportunities system;

16 (2) identifying or establishing broad-based part-  
17 nerships among employers, labor, education, govern-  
18 ment, and other community organizations to partici-  
19 pate in the design, development, and administration  
20 of School-to-Work Opportunities programs;

21 (3) developing a marketing plan to build con-  
22 sensus and support for School-to-Work Opportuni-  
23 ties programs;

1           (4) promoting the active involvement of busi-  
2           ness in planning and developing local School-to-  
3           Work Opportunities programs;

4           (5) supporting local School-to-Work Opportuni-  
5           ties planning and development activities to provide  
6           guidance in the development of School-to-work Op-  
7           portunities programs;

8           (6) initiating pilot program for testing key com-  
9           ponents of State program design;

10          (7) developing a State process for issuing skill  
11          certificates that takes into account the work of the  
12          National Skill Standards Board and the criteria es-  
13          tablished under Goals 2000: Educate America Act;

14          (8) designing challenging curricula;

15          (9) developing a system for labor market analy-  
16          sis and strategic planning for local targeting of in-  
17          dustry sectors or broad occupational clusters;

18          (10) analyzing the post high school employment  
19          experiences of recent high school graduates and  
20          dropouts; and

21          (11) preparing the plan required for submission  
22          of an application for an Implementation Grant  
23          under subtitle B.

1     **Subtitle B—State Implementation**  
2                     **Grants**

3     **SEC. 211. PURPOSE.**

4         The purpose of this subtitle is to assist States in the  
5 implementation of comprehensive, statewide School-to-  
6 Work Opportunities systems.

7     **SEC. 212. STATE IMPLEMENTATION GRANTS.**

8         (a) ELIGIBILITY AND APPLICATION.—A State may  
9 apply to the Secretaries for a competitive implementation  
10 grant by submitting an application that contains—

11             (1) a plan for a comprehensive, statewide  
12 School-to-Work Opportunities system that meets the  
13 content requirements provided in subsection (b);

14             (2) a description of how the State will allocate  
15 funds under this Act to local School-to-Work Oppor-  
16 tunities partnerships;

17             (3) a request, if the State decides to submit  
18 such a request, for one or more waivers of certain  
19 statutory or regulatory requirements, as provided for  
20 under title V of this Act; and

21             (4) such other information as the Secretaries  
22 may require.

23         (b) CONTENTS OF STATE PLAN.—A State plan  
24 shall—

1           (1) designate the geographical areas to be  
2       served by partnerships, which shall, to the extent  
3       feasible, reflect local labor market areas;

4           (2) describe how the State will stimulate and  
5       support local School-to-Work Opportunities pro-  
6       grams that meet the requirements of this Act, and  
7       how the State's system will be expanded over time  
8       to cover all geographic areas in the State;

9           (3) describe the procedure by which the Gov-  
10      ernor; the chief State school officer; the State agen-  
11      cy officials responsible for job training and employ-  
12      ment, economic development, and postsecondary  
13      education; and other appropriate officials will col-  
14      laborate in the implementation of the State School-  
15      to-Work Opportunities system;

16          (4) describe the procedure for obtaining the ac-  
17      tive and continued involvement in the statewide  
18      School-to-Work Opportunities system of employers  
19      and other interested parties such as locally elected  
20      officials, secondary and postsecondary educational  
21      institutions or agencies, business associations, em-  
22      ployees, labor organizations or associations thereof,  
23      teachers, students, parents, community-based orga-  
24      nizations, rehabilitation agencies and organizations,

1 registered apprenticeship agencies, and local voca-  
2 tional educational agencies;

3 (5) describe how the School-to-Work Opportuni-  
4 ties system will coordinate the use of education and  
5 training funds from State and private sources with  
6 funds available from such related Federal programs  
7 as the Adult Education Act (20 U.S.C. 1201 et  
8 seq.), the Carl D. Perkins Vocational and Applied  
9 Technology Education Act (20 U.S.C. 2301, et seq.),  
10 the Elementary and Secondary Education Act of  
11 1965 (20 U.S.C. 2701 et seq.), the Family Support  
12 Act of 1988 (42 U.S.C. 602 note, 606 note), the  
13 Goals 2000: Educate America Act, the Individuals  
14 with Disabilities Education Act (20 U.S.C. 1400 et  
15 seq.), the Job Training Partnership Act (29 U.S.C.  
16 1501 et seq.), the National Apprenticeship Act (29  
17 U.S.C. 50 et seq.) and the Rehabilitation Act of  
18 1973 (29 U.S.C. 701 et seq.);

19 (6) describe the resources, including private sec-  
20 tor resources, the State intends to employ in main-  
21 taining the School-to-Work Opportunities system  
22 when funds under this Act are no longer available;

23 (7) describe how the State will ensure opportu-  
24 nities for all students to participate in School-to-  
25 Work Opportunities programs;

1           (8) describe how the State will ensure opportu-  
2           nities for young women to participate in School-to-  
3           Work Opportunities programs in a manner that  
4           leads to employment in high-performance, high-pay-  
5           ing jobs, including jobs in which women traditionally  
6           have been under-represented;

7           (9) describe how the State will ensure opportu-  
8           nities for low achieving students, students with dis-  
9           abilities, and former students who have dropped out  
10          of school to participate in School-to-Work Opportu-  
11          nities programs;

12          (10) describe the State's process for assessing  
13          the skills and knowledge required in career majors,  
14          and awarding skill certificates that take into account  
15          the work of the National Skill Standards Board and  
16          the criteria established under Goals 2000: Educate  
17          America Act;

18          (11) describe the manner in which the State  
19          will, to the extent feasible, continue and incorporate  
20          programs funded under section 302 of this Act in  
21          the State School-to-Work Opportunities system;

22          (12) describe the performance standards that  
23          the State intends to meet; and

1           (13) designate a fiscal agent to receive and be  
2       accountable for School-to-Work Opportunities funds  
3       awarded under this subtitle.

4       (c) REVIEW OF APPLICATIONS.—The Secretaries  
5       shall submit each application to a peer review process, de-  
6       termine whether to approve the State's School-to-Work  
7       Opportunities plan, and, if such determination is affirma-  
8       tive, further determine whether to take one or a combina-  
9       tion of the following actions—

10           (1) award an implementation grant;

11           (2) approve the State's request, if any, for a  
12       waiver in accordance with the procedures in title V  
13       of this Act; and

14           (3) inform the State of the opportunity to apply  
15       for further development funds, except that further  
16       development funds may not be awarded to a State  
17       that receives an implementation grant.

18       (d) AMOUNT OF GRANT.—The Secretaries shall es-  
19       tablish the minimum and maximum amounts available for  
20       an implementation grant, and shall determine the actual  
21       amount granted to any State based on such criteria as  
22       the scope and quality of the plan and the number of pro-  
23       jected program participants.

24       (e) STATE IMPLEMENTATION ACTIVITIES.—Funds  
25       awarded under this section shall be expended by a State

1 only for activities undertaken to implement the State's  
2 School-to-Work Opportunities system, which may in-  
3 clude—

4 (1) recruiting and providing assistance to em-  
5 ployers to provide work-based learning for students;

6 (2) conducting outreach activities to promote  
7 and support collaboration in School-to-Work Oppor-  
8 tunities programs by businesses, labor organizations,  
9 and other organizations;

10 (3) providing training for teachers, employers,  
11 workplace mentors, counselors, and others;

12 (4) providing labor market information to local  
13 partnerships that is useful in determining which  
14 high-skill, high-wage occupations are in demand;

15 (5) designing or adapting model curricula that  
16 can be used to integrate academic and vocational  
17 learning, school-based and work-based learning, and  
18 secondary and postsecondary education;

19 (6) designing or adapting model work-based  
20 learning programs and identifying best practices;  
21 and

22 (7) conducting outreach activities and providing  
23 technical assistance to other States that are develop-  
24 ing or implementing School-to-Work Opportunities  
25 systems.



1 (f) ALLOCATION OF FUNDS TO PARTNERSHIPS.—A  
2 State shall award subgrants to partnerships, according to  
3 criteria established by the State, that total no less than  
4 65 percent of the sums awarded to it under this section  
5 in the first year, 75 percent of such sums in the second  
6 year, and 85 percent of such sums in each year thereafter.

7 (g) STATE SUBGRANTS TO PARTNERSHIPS.—

8 (1) APPLICATION.—A partnership that seeks a  
9 subgrant to carry out a local School-to-Work Oppor-  
10 tunities program shall submit an application to the  
11 State that—

12 (A) describes how the program would in-  
13 clude the basic program components and other-  
14 wise meet the requirements of title I of this  
15 Act;

16 (B) sets forth measurable program goals  
17 and outcomes;

18 (C) describes the local strategies and time-  
19 tables to provide School-to-Work Opportunities  
20 program opportunities for all students; and

21 (D) provides such other information as the  
22 State may require.

23 (2) ALLOWABLE ACTIVITIES.—A partnership  
24 shall expend funds awarded under this section only  
25 for activities undertaken to carry out School-to-Work

1 Opportunities programs as defined in this Act, and  
2 such activities may include—

3 (A) recruiting and providing assistance to  
4 employers to provide the work-based learning  
5 components in the School-to-Work Opportuni-  
6 ties program;

7 (B) establishing consortia of employers to  
8 support the School-to-Work Opportunities pro-  
9 gram and provide access to jobs related to stu-  
10 dents' career majors;

11 (C) supporting or establishing inter-  
12 mediaries to perform the activities described in  
13 section 104 and to provide assistance to stu-  
14 dents in obtaining jobs and further education  
15 and training;

16 (D) designing or adapting school curricula  
17 that can be used to integrate academic and vo-  
18 cational learning, school-based and work-based  
19 learning, and secondary and postsecondary  
20 education;

21 (E) providing training to work-based and  
22 school-based staff on new curricula, student as-  
23 sessments, student guidance, and feedback to  
24 the school regarding student performance;

1 (F) establishing in schools participating in  
2 a School-to-Work Opportunities program a  
3 graduation assistance program to assist at-risk  
4 and low-achieving students in graduating from  
5 high school, enrolling in postsecondary edu-  
6 cation or training, and finding or advancing in  
7 jobs;

8 (G) conducting or obtaining an in-depth  
9 analysis of the local labor market and the ge-  
10 neric and specific skill needs of employers to  
11 identify high-demand, high-wage careers to  
12 target;

13 (H) integrating work-based and school-  
14 based learning into existing job training pro-  
15 grams for youth who have dropped out of  
16 school;

17 (I) establishing or expanding school-to-ap-  
18 prenticeship programs in cooperation with reg-  
19 istered apprenticeship agencies and apprentice-  
20 ship sponsors; and

21 (J) assisting participating employers, in-  
22 cluding small- and medium-size businesses, to  
23 identify and train workplace mentors and to de-  
24 velop work-based learning components.

1 **TITLE III—FEDERAL IMPLEMEN-**  
2 **TATION GRANTS TO PART-**  
3 **NERSHIPS**

4 **SEC. 301. PURPOSE.**

5 The purposes of this title are—

6 (1) to authorize the Secretaries to award com-  
7 petitive grants to partnerships in States that have  
8 not received an implementation grant under section  
9 212, in order to provide funding for communities  
10 that have built a sound planning and development  
11 base for School-to-Work Opportunities programs and  
12 are ready to begin implementing a local School-to-  
13 Work Opportunities program; and

14 (2) to authorize the Secretaries to award com-  
15 petitive grants to implement School-to-Work Oppor-  
16 tunities programs in high poverty areas of urban  
17 and rural communities to provide support for a com-  
18 prehensive range of education, training, and support  
19 services for youth residing in designated high pov-  
20 erty areas.

21 **SEC. 302. FEDERAL IMPLEMENTATION GRANTS TO PART-**  
22 **NERSHIPS.**

23 (a) IN GENERAL.—The Secretaries may award  
24 School-to-Work Opportunities implementation grants to  
25 partnerships in States that have not received an imple-

1 mentation grant under section 212, according to competi-  
2 tive criteria established by the Secretaries.

3 (b) APPLICATION PROCEDURE.—A partnership that  
4 desires to receive a direct Federal grant under this section  
5 shall submit an application to the Secretaries in accord  
6 with procedures specified by the Secretaries, but before  
7 the partnership submits the application to the Secretaries  
8 it shall first submit the application to the State for review  
9 and comment.

10 (c) APPLICATION CONTENTS.—The grant application  
11 from a partnership shall include a plan for local School-  
12 to-Work Opportunities program that—

13 (1) describes how the partnership will meet the  
14 requirements of this Act;

15 (2) includes the State's comments, if any;

16 (3) contains information that is consistent with  
17 the content requirements for a State plan that are  
18 specified in section 212(b) (4) through (10);

19 (4) designates a fiscal agent to receive and be  
20 accountable for funds under this section; and

21 (5) provides other information that the Sec-  
22 retaries may require.

23 (d) CONFORMITY WITH APPROVED STATE PLAN.—  
24 The Secretaries shall not award a grant under this section  
25 to a partnership in a State that has an approved plan un-

1 less the Secretaries determine, after consultation with the  
2 State, that the plan submitted by the partnership is in  
3 accord with the approved State plan.

4 (e) IMPLEMENTATION ACTIVITIES.—Funds awarded  
5 under this section shall be expended by a partnership only  
6 for activities undertaken to implement School-to-Work Op-  
7 portunities programs under this Act, including, but not  
8 limited to, the activities specified in section 212(g)(2).

9 **SEC. 303. SCHOOL-TO-WORK OPPORTUNITIES PROGRAM**  
10 **GRANTS IN HIGH POVERTY AREAS.**

11 (a) IN GENERAL.—From the funds reserved under  
12 section 505(b), the Secretaries are authorized to award  
13 grants to implement School-to-Work Opportunities pro-  
14 grams, that include the basic program components and  
15 otherwise meet the requirements of title I of this Act, in  
16 high poverty areas, as provided in this section, of urban  
17 and rural communities, in order to provide support for a  
18 comprehensive range of education, training, and support  
19 services for youth residing in such areas. The Secretaries  
20 are authorized to award such grants according to criteria  
21 established by the Secretaries, except that the Secretaries  
22 shall not award a grant under this section to a School-  
23 to-Work Opportunities program unless the Secretaries de-  
24 termine after consultation with the State and partnership

1 that it is in accord with approved State and local plans,  
2 if any.

3 (b) DEFINITION.—For purposes of this section, the  
4 term “high poverty area” means an urban census tract,  
5 a nonmetropolitan county, a Native American Indian res-  
6 ervation, or an Alaska Native village, with a poverty rate  
7 of 30 percent or more, as determined by the Bureau of  
8 the Census.

9 (c) ALLOWABLE ACTIVITIES.—Funds awarded under  
10 this section may be expended for activities such as those  
11 that support school-based job specialists to assist students  
12 in obtaining employment, and that recruit employers and  
13 assist them to develop work-based learning opportunities  
14 for students.

15 (d) USE OF FUNDS.—Funds available under this sec-  
16 tion may be awarded in combination with funds appro-  
17 priated for the Youth Fair Chance Program.

## 18 **TITLE IV—NATIONAL PROGRAMS**

### 19 **SEC. 401. RESEARCH, DEMONSTRATION, AND OTHER** 20 **PROJECTS.**

21 (a) IN GENERAL.—With funds reserved under section  
22 505(c), the Secretaries shall conduct research and develop-  
23 ment and establish a program of experimental and dem-  
24 onstration projects, to further the purposes of this Act.

1       (b) ADDITIONAL USE OF FUNDS.—Funds reserved  
2 under section 505(c) may also be used for programs or  
3 services authorized under any other provision of this Act  
4 that are most appropriately administered at the national  
5 level and that will operate in, or benefit more than, one  
6 State.

7       **SEC. 402. PERFORMANCE OUTCOMES AND EVALUATION.**

8       (a) IN GENERAL.—The Secretaries, in collaboration  
9 with the States, shall by grants, contracts, or otherwise,  
10 establish a system of performance measures for assessing  
11 State and local programs regarding—

12               (1) progress in the development and implemen-  
13 tation of State plans that include the basic program  
14 components and otherwise meet the requirements of  
15 title I;

16               (2) participation in School-to-Work Opportuni-  
17 ties programs by employers, schools, and students;

18               (3) progress in developing and implementing  
19 strategies for addressing the needs of in-school and  
20 out-of-school, at-risk youth;

21               (4) student outcomes, including—

22                       (A) academic learning gains;

23                       (B) staying in school and attaining a high  
24 school diploma, skill certificate, and college  
25 degree;



1 (C) placement and retention in further  
2 education or training, particularly in the stu-  
3 dent's career major; and

4 (D) job placement, retention, and earnings,  
5 particularly in the student's career major; and

6 (5) the extent to which the program has met  
7 the needs of employers.

8 (b) EVALUATION.—The Secretaries shall conduct a  
9 national evaluation of School-to-Work Opportunities pro-  
10 grams funded under this Act that will track and assess  
11 the progress of implementation of State and local pro-  
12 grams and their effectiveness based on measures such as  
13 those described in subsection (a).

14 (c) REPORTS.—Each State shall provide periodic re-  
15 ports, at such intervals as the Secretaries determine, con-  
16 taining information described in paragraphs (1) through  
17 (4) of subsection (a).

18 **SEC. 403. TRAINING AND TECHNICAL ASSISTANCE.**

19 (a) PURPOSE.—The Secretaries shall work in co-  
20 operation with the States, employers and their associa-  
21 tions, schools, labor organizations, and community organi-  
22 zations to increase their capacity to develop and imple-  
23 ment effective School-to-Work Opportunities programs.

1 (b) AUTHORIZED ACTIVITIES.—The Secretaries shall  
2 provide, through grants, contracts, or other arrange-  
3 ments—

4 (1) training, technical assistance, and other ac-  
5 tivities that will:

6 (A) enhance the skills, knowledge, and ex-  
7 pertise of the personnel involved in planning  
8 and implementing State and local School-to-  
9 Work Opportunities programs; and

10 (B) improve the quality of services pro-  
11 vided to individuals served under this Act;

12 (2) assistance to States and partnerships in  
13 order to integrate resources available under this Act  
14 with resources available under other Federal, State,  
15 and local authorities;

16 (3) assistance to States and partnerships to re-  
17 cruit employers to provide the work-based learning  
18 component of School-to-Work Opportunities pro-  
19 grams.

20 (c) PEER REVIEW.—The Secretaries may use funds  
21 under section 505(c) for the peer review of State applica-  
22 tions and plans under section 212 and applications under  
23 title III of this Act.

1 **TITLE V—GENERAL PROVISIONS**

2 **SEC. 501. STATE REQUEST AND RESPONSIBILITIES FOR A**  
3 **WAIVER OF STATUTORY AND REGULATORY**  
4 **REQUIREMENTS.**

5 (a) STATE REQUEST FOR WAIVER.—A state with an  
6 approved plan may, at any point during the development  
7 or implementation of a School-to-Work Opportunities pro-  
8 gram, request a waiver of one or more statutory or regu-  
9 latory provisions from the Secretaries in order to carry  
10 out the purposes of the Act.

11 (b) PARTNERSHIP REQUEST FOR WAIVER.—A part-  
12 nership that seeks a waiver of any of the laws specified  
13 in sections 502 and 503 shall submit an application for  
14 such waiver to the State, and the State shall determine  
15 whether to submit the application for a waiver to the  
16 Secretaries.

17 (c) WAIVER CRITERIA.—The request by the State  
18 shall meet the criteria contained in section 502 or section  
19 503 and shall specify the laws or regulations referred to  
20 in those sections that the State wants waived.

21 **SEC. 502. WAIVERS OF STATUTORY AND REGULATORY RE-**  
22 **QUIREMENTS BY THE SECRETARY OF EDU-**  
23 **CATION.**

24 (a) IN GENERAL.—(1) Except as provided in sub-  
25 section (c), the Secretary of Education may waive any re-

1 quirement of any statute listed in subsection (b) or of the  
2 regulations issued under such statute for a State that re-  
3 quests such a waiver—

4 (A) if, and only to the extent that, the Sec-  
5 retary of Education determines that such require-  
6 ment impedes the ability of the State or a partner-  
7 ship to carry out the purposes of this Act;

8 (b) if the State waives, or agrees to waive, simi-  
9 lar requirements of State law; and

10 (c) if the State—

11 (i) has provided all partnerships, and local  
12 educational agencies participating in a partner-  
13 ship, in the State with notice and an oppor-  
14 tunity to comment on the State's proposal to  
15 seek a waiver; and

16 (ii) has submitted the comments of the  
17 partnership and local educational agencies to  
18 the Secretary of Education.

19 (2) The Secretary of Education shall act promptly on  
20 any request submitted pursuant to paragraph (1).

21 (3) Each waiver approved pursuant to this subsection  
22 shall be for a period not to exceed five years, except that  
23 the Secretary of Education may extend such period if the  
24 Secretary of Education determines that the waiver has

1 been effective in enabling the State or partnership to carry  
2 out the purposes of this Act.

3 (b) INCLUDED PROGRAMS.—The statutes subject to  
4 the waiver authority of this section are as follows—

5 (1) chapter 1 of title I of the Elementary and  
6 Secondary Education Act of 1965, including the  
7 Even Start Act;

8 (2) part A of chapter 2 of title I of the Elemen-  
9 tary and Secondary Education Act of 1965;

10 (3) the Dwight D. Eisenhower Mathematics and  
11 Science Education Act (title II, part A of the Ele-  
12 mentary and Secondary Education Act of 1965);

13 (4) the Emergency Immigrant Education Act of  
14 1984 (title IV, part D of the Elementary and Sec-  
15 ondary Education Act of 1965);

16 (5) the Drug-Free Schools and Communities  
17 Act of 1986 (title V of the Elementary and Second-  
18 ary Education Act of 1965); and

19 (6) the Carl D. Perkins Vocational and Applied  
20 Technology Education Act.

21 (c) WAIVERS NOT AUTHORIZED.—The Secretary of  
22 Education may not waive any statutory or regulatory re-  
23 quirement of the programs listed in subsection (b) relating  
24 to—

1           (1) the basic purposes or goals of the affected  
2       programs;

3           (2) maintenance of effort;

4           (3) comparability of services;

5           (4) the equitable participation of students at-  
6       tending private schools;

7           (5) parental participation and involvement;

8           (6) the distribution of funds to State or to local  
9       educational agencies;

10          (7) the eligibility of an individual for participa-  
11       tion in the affected programs;

12          (8) public health or safety, labor standards,  
13       civil rights, occupational safety and health, or envi-  
14       ronmental protection; or

15          (9) prohibitions or restrictions relating to the  
16       construction of buildings or facilities.

17       (d) TERMINATION OF WAIVERS.—The Secretary of  
18       Education shall periodically review the performance of any  
19       State or partnership for which the Secretary of Education  
20       has granted a waiver and shall terminate the waiver under  
21       this section if the Secretary determines that the perform-  
22       ance of the State, partnership, or local educational agency  
23       affected by the waiver has been inadequate to justify a  
24       continuation of the waiver, or the State fails to waive simi-

1 lar requirements of State law as required or agreed to in  
2 accord with section 502(a)(1)(B).

3 **SEC. 503. WAIVERS OF STATUTORY AND REGULATORY RE-**  
4 **QUIREMENTS BY THE SECRETARY OF LABOR.**

5 (a) IN GENERAL.—(1) Except as provided in sub-  
6 section (c), the Secretary of Labor may waive any require-  
7 ment of any statutory provisions listed in subsection (b)  
8 or of the regulations issued under such statutory provi-  
9 sions for a State that requests such a waiver—

10 (A) if, and only to the extent that, the Sec-  
11 retary of Labor determines that such requirement  
12 impedes the ability of the State or a partnership to  
13 carry out the purposes of this Act;

14 (B) if the State waives, or agrees to waive,  
15 similar requirements of State law; and

16 (C) if the State—

17 (i) has provided all partnerships in the  
18 State with notice and an opportunity to com-  
19 ment on the State's proposal to seek a waiver;  
20 and

21 (ii) has submitted the comments of the  
22 partnerships to the Secretary of Labor.

23 (2) The Secretary of Labor shall act promptly on any  
24 request submitted pursuant to paragraph (1).

1       (3) Each waiver approved pursuant to this subsection  
2 shall be for a period not to exceed five years, except that  
3 the Secretary of Labor may extend such period if the Sec-  
4 retary of Labor determines that the waiver has been effec-  
5 tive in enabling the State or partnership to carry out the  
6 purposes of this Act.

7       (b) INCLUDED PROGRAMS.—The statutory provisions  
8 subject to the waiver authority of this section are as fol-  
9 lows—

10           (1) section 106(b)(4) (performance standards),  
11 section 107 (selection of service providers), section  
12 108 (limitation on certain costs), section 141 (gen-  
13 eral program requirements), and section 142 (bene-  
14 fits) of the Job Training Partnership Act, except  
15 that section 141(c) and section 141(q) shall not be  
16 waived;

17           (2) section 123 of the Job Training Partnership  
18 Act (State education coordination and grants);

19           (3) part B of title II of the Job Training Part-  
20 nership Act (Summer Youth Employment and  
21 Training Programs);

22           (4) part C, title II of the Job Training Partner-  
23 ship Act (Youth Training Program), except that sec-  
24 tion 263 (eligibility for services) shall not be waived;  
25 and



1           (5) part A (Employment and Training Pro-  
2       grams for Native Americans and Migrant and Sea-  
3       sonal Farmworkers), part B (Job Corps), and part  
4       H (Youth Fair Chance Program) of title IV of the  
5       Job Training Partnership Act.

6       (c) WAIVERS NOT AUTHORIZED.—The Secretary of  
7       Labor may not waive any statutory or regulatory require-  
8       ment of the programs listed in subsection (b) relating to—

9           (1) the basic purposes or goals of the affected  
10      programs;

11          (2) the eligibility of an individual for participa-  
12      tion in the affected programs;

13          (3) the allocation of funds under the affected  
14      programs;

15          (4) public health or safety, labor standards,  
16      civil rights, occupational safety and health, or envi-  
17      ronmental protection;

18          (5) maintenance of effort; or

19          (6) prohibitions or restrictions relating to the  
20      construction of buildings or facilities.

21       (d) TERMINATION OF WAIVERS.—The Secretary of  
22       Labor shall periodically review the performance of any  
23       State or partnership for which the Secretary of Labor has  
24       granted a waiver and shall terminate the waiver under this  
25       section if the Secretary determines that the performance

1 of the State or partnership affected by the waiver has been  
2 inadequate to justify a continuation of the waiver, or the  
3 State fails to waive similar requirements of State law as  
4 required or agreed to in accord with section 503(a)(1)(B)

5 **SEC. 504. SAFEGUARDS.**

6 The following safeguards shall apply to School-to-  
7 Work Opportunities programs under this Act:

8 (1) No student shall displace any currently em-  
9 ployed worker (including a partial displacement,  
10 such as a reduction in the hours of nonovertime  
11 work, wages, or employment benefits).

12 (2) No School-to-Work Opportunities program  
13 shall impair existing contracts for services or collec-  
14 tive bargaining agreements, except that no program  
15 under this Act that would be inconsistent with the  
16 terms of a collective bargaining agreement shall be  
17 undertaken without the written concurrence of the  
18 labor organization and employer concerned.

19 (3) No student shall be employed or job open-  
20 ing filled—

21 (A) when any other individual is on tem-  
22 porary layoff from the participating employer,  
23 with the clear possibility of recall, from the  
24 same or any substantially equivalent job; or

1 (B) when the employer has terminated the  
2 employment of any regular employee or other-  
3 wise reduced its workforce with the intention of  
4 filling the vacancy so created with a student.

5 (4) Students shall be provided with adequate  
6 and safe equipment and a safe and healthful work-  
7 place in conformity with all health and safety stand-  
8 ards of Federal, State, and local law.

9 (5) Nothing in this Act shall be construed to  
10 modify or affect any Federal or State law prohibit-  
11 ing discrimination on the basis of race, religion,  
12 color, ethnicity, national origin, gender, age, or  
13 disability.

14 (6) Funds appropriated under authority of this  
15 Act shall not be expended for wages of students.

16 (7) The Secretaries shall provide such other  
17 safeguards as they may deem appropriate in order  
18 to ensure that School-to-Work Opportunities partici-  
19 pants are afforded adequate supervision by skilled  
20 adult workers, or, otherwise, to further the purposes  
21 of this Act.

22 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) AUTHORIZATION.—There are authorized to be ap-  
24 propriated to the Secretaries \$300,000,000 in fiscal year  
25 1995, and such sums as may be necessary in each of the

1 seven succeeding fiscal years for allocations to carry out  
2 this Act.

3 (b) HIGH POVERTY AREAS.—The Secretaries may re-  
4 serve up to \$30,000,000 in fiscal year 1995, and such  
5 sums as may be necessary in each of the succeeding seven  
6 years under this Act, to carry out section 303, which may  
7 be used in conjunction with funds available under the  
8 Youth Fair Chance Program, title IV–H of the Job Train-  
9 ing Partnership Act (29 U.S.C. 1671, et seq.).

10 (c) NATIONAL PROGRAMS.—The Secretaries may re-  
11 serve up to \$30,000,000 in fiscal year 1995 and such  
12 sums as they may deem necessary under this Act, in each  
13 of the seven succeeding fiscal years to carry out title IV.

14 (d) TERRITORIES.—The Secretaries may reserve up  
15 to one quarter of one percent for School-to-Work Opportu-  
16 nities programs under this Act for the territories of the  
17 United States, which are the Virgin Islands, Guam, the  
18 Northern Mariana Islands, American Samoa, the Fed-  
19 erated States of Micronesia, and the Republic of the Mar-  
20 shall Islands, and which include Palau until the Compact  
21 of Free Association is signed.

22 (e) NATIVE AMERICAN PROGRAMS.—(1) The Sec-  
23 retaries may reserve up to one quarter of one percent of  
24 the funds appropriated for any fiscal year under section  
25 505(a) for School-to-Work Opportunities programs for In-

1 dian youth that are consistent with School-to-Work Op-  
2 portunities programs carried out under title II of this Act  
3 and that involve Bureau funded schools, as defined in sec-  
4 tion 1139(3) of the Education Amendments of 1978 (25  
5 U.S.C. 2019(3)).

6 (2) The Secretaries may carry out this subsection  
7 through such means as they find appropriate, including,  
8 but not limited to—

9 (A) the transfer of funds to the Secretary of the  
10 Interior; and

11 (B) the provision of financial assistance to In-  
12 dian tribes and Indian organizations.

13 (f) AVAILABILITY OF FUNDS.—Funds obligated for  
14 any fiscal year for programs authorized under this Act  
15 shall remain available until expended.

16 **SEC. 506. ACCEPTANCE OF GIFTS, AND OTHER MATTERS.**

17 The Secretaries are authorized, in carrying out this  
18 Act, to accept, purchase, or lease in the name of the De-  
19 partment of Labor or the Department of Education, and  
20 employ or dispose of in furtherance of the purposes of this  
21 Act, any money or property, real, personal, or mixed, tan-  
22 gible or intangible, received by gift, devise, bequest, or  
23 otherwise, and to accept voluntary and uncompensated  
24 services notwithstanding the provisions of section 1342 of  
25 title 31.

1 **SEC. 507. EFFECTIVE DATE.**

2       This Act shall take effect on the day of enactment.

○

S 1361 IS—2

S 1361 IS—3

S 1361 IS—4